

REPORTER'S RECORD  
VOLUME 6 OF 7 VOLUMES  
TRIAL COURT CAUSE NO. 09-02494-CRF  
APPELLATE COURT CAUSE NO. 10-10-00297-CRF-272

THE STATE OF TEXAS ) IN THE DISTRICT COURT  
vs. ) BRAZOS COUNTY, TEXAS  
GREGG CARL BAIRD ) 272ND JUDICIAL DISTRICT

COURT'S RULING

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COURT OF APPEALS  
WACO, TEXAS

On the 29th day of July, 2010, the following proceedings came on to be held in the above-titled and numbered cause before the Honorable Travis B. Bryan, III, Judge Presiding, held in Bryan, Brazos County, Texas.

Proceedings reported by computerized stenotype machine.

FILED  
TENTH COURT OF APPEALS

FEB 07 2011

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SHARRI ROESSLER, CLERK

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I N D E X  
VOLUME 6  
(COURT'S RULING)

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STATE'S EXHIBIT	DESCRIPTION	OFFERED	ADMITTED
3	12.45 Form	4	4
4	12.45 Form	4	4

P R O C E E D I N G S

(July 29, 2010, Open Court, Defendant

Present, No Jury.)

THE COURT: Be seated.

Case Number 09-02494, State v. Gregg

Baird. Are you ready to proceed?

MR. JAMES: Yes, your Honor.

THE COURT: Will the Defendant please  
rise?

(Defendant rises.)

THE COURT: Based on your plea of  
guilty and the evidence produced, I will find that you  
are guilty of the first ten counts of this cause  
number. I will bar prosecution in the counts that are  
set out on the 12.45 form which has been marked  
State's Exhibit Number 3.

State's 3 is admitted into evidence.

State's 4, being a similar form, is  
also admitted into evidence. The causes described on  
that are also barred.

(State's Exhibit Numbers 3 and 4 offered and  
admitted.)

THE COURT: In the first count of this  
case, Count Number 1, I assess your punishment at ten  
years imprisonment in the Texas Department of Criminal

1 Justice Institutional Division, no probation. You are  
2 hereby sentenced to serve ten years.

3 In the second count running  
4 consecutively with the first count, I assess your  
5 punishment at five years in the Institutional  
6 Division, five years; and that will be stacked on top  
7 of the ten given to you under Count 1.

8 In the third count, I assess your  
9 punishment at ten years in the Institutional Division  
10 stacked again on top of the Count 1 sentence and in  
11 Count 2 sentence. However, I will suspend the  
12 imposition of that sentence and place you on probation  
13 for a period of ten years. You will be required to  
14 serve that probated sentence after your release on  
15 Counts 1 and 2.

16 As to the remaining seven cases, in  
17 each case, I sentence you to ten years in the  
18 Institutional Division without probation. Those  
19 ten-year sentences will run concurrent with the  
20 ten-year sentence in Count 1.

21 Mr. Baird, by your own admission, you  
22 have knowingly participated, although indirectly, in  
23 the sexual abuse of hundreds of children shown in  
24 these 64,000 images. This sentence hopefully sends a  
25 message to this community that this will not be

1 tolerated in Brazos County, but it's also tempered  
2 with enough mercy where you will have some of your  
3 life in the free world left to live if you do what  
4 you're supposed to in prison and do what you're  
5 supposed to on probation. We have an excellent sex  
6 offender treatment program here in Brazos County, and  
7 I know they will assist you as well as the  
8 psychologist that conducts the sexual treatment.

9           As you said in your testimony -- and I  
10 agree with you -- God can change hearts; and I believe  
11 that He'll do that. He can do that for anybody that  
12 will fully yield his heart up and not continue to  
13 gratify himself as you have done in the past.

14           In one of the chats that you wrote, you  
15 mentioned that the sexual urge at that particular time  
16 was a ticking time bomb. I just hope that you will do  
17 what you need to do; and hopefully, I have done what I  
18 needed to do to keep that ticking time bomb from going  
19 off and damaging some child.

20           You have a right to appeal this case,  
21 and I need to inform you now that the first level of  
22 appeal is to the Tenth Court of Appeals in Waco. If  
23 you lose at that level, you can appeal to the next  
24 level by petition for discretionary review to the  
25 Court of Criminal Appeals in Austin.

1                   You need to stay in touch with your  
2 attorney wherever you are in prison and make sure  
3 you're informed of the result at the first level  
4 because you're not entitled to counsel at the second  
5 level of appeal -- necessarily entitled to counsel;  
6 and unless you find out that you've lost your case,  
7 you won't know enough to file a petition for  
8 discretionary review on your own behalf. You have  
9 here one of the finest appellate lawyers in Texas, so  
10 I'm sure he'll keep you informed on all of that.

11                   I have a Trial Court Certification for  
12 you and your attorney to sign, please.

13                   MR. WETZEL: Would you like for me to  
14 come up and get that?

15                   THE COURT: Yes, sir.

16                   I'd like to thank both of the attorneys  
17 for the excellent job they did in presenting this  
18 case.

19                   Is there anything else from either  
20 side?

21                   MR. PHELPS: Nothing from the State.

22                   MR. JAMES: No, your Honor.


23                   THE COURT: This hearing is adjourned.  
24  
25

1 STATE OF TEXAS  
2 COUNTY OF BRAZOS  
3

4 I, Denise C. MacKay, Deputy Official Court  
5 Reporter in and for the 272nd District Court of  
6 Brazos County, State of Texas, do hereby certify that  
7 the above and foregoing contains a true and correct  
8 transcription of all portions of evidence and other  
9 proceedings requested in writing by counsel for the  
10 parties to be included in this volume of the  
11 Reporter's Record in the above-styled and numbered  
12 cause, all of which occurred in open court or in  
13 chambers and were reported by me.

14 I further certify that this Reporter's Record of  
15 the proceedings truly and correctly reflects the  
16 exhibits, if any, offered by the respective parties.

17 I further certify that the total cost for the  
18 preparation of this Reporter's Record is \$40.00 and  
19 was paid/will be paid by Mr. Richard E. Wetzel,  
20 Appellate Counsel for Defendant.

21   
22 Denise C. MacKay, CSR 6482  
23 Expiration: 12/31/2011  
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